

BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

REGULAR MEETING AGENDA

AUGUST 1, 2007

7:30 PM COURTHOUSE COUNCIL CHAMBERS

ROLL CALL

PRAYER

APPROVAL OF THE MINUTES OF THE JULY 18, 2007 REGULAR MEETING

**ITEMS NOT ON THE AGENDA –
SUSPENSION OF THE RULES**

**PUBLIC COMMENT ON ANY PUBLIC MATTER
NOT ON THE AGENDA**

CHIEF EXECUTIVE'S REPORT

SECTION I **PRESENTATION**
COMMUNICATION NO. 07-547

Tasha Syverson, Senior Due Diligence Coordinator, requesting time on the 8/1/07 agenda to make a presentation about Home Depot's proposed development. Also requesting approval of a tax abatement.

SECTION II **PRESENTATION**
COMMUNICATION NO. 07-533

Jeff Amerman, Finance and Budget Director, requesting time on the 8/1/07 agenda to make a presentation on the FY 2007 – 2008 preliminary budget.

SECTION III **PRESENTATION**
COMMUNICATION NO. 07-526

John M. Moodry, Supervisor Weed Department, requesting time on the 8/1/07 agenda to present a plan for Ordinance No. 196 being transferred from the Public Works Department to the Weed Department.

SECTION IV

CONSENT AGENDA

- A. 1. COMMITTEE OF THE WHOLE MEETING REPORT
- 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
- 3. JUDICIARY COMMITTEE MEETING REPORT
- 4. RULES COMMITTEE MEETING REPORT

B. COMMUNICATIONS

- 1. 07-510 Dan Dennehy, Health Officer, regarding awarding of low quotes for Butte-Silver Bow Lead Program. **Recommendation: note and place on file.**
- 2. 07-511 John P. Walsh, Sheriff, requesting authorization for Chief Executive to sign the Department of Treasury Federal Annual Certification Report. **Recommendation: concur and place on file.**
- 3. 07-512 Dawn Silk, Water Division Accountant, requesting permission for disposal of obsolete equipment within the Water Division. **Recommendation: concur and place on file**
- 4. 07-513 Brian Staack, Staack's Auto Electric & Auto Repair, requesting permission to temporarily close street on 8/17/07 for 1 Year Anniversary Celebration. **Recommendation: concur and place on file.**
- 5. 07-514 John Davis, requesting restrictions be placed on the use of Fireworks. **Recommendation: refer to Judiciary Committee.**
- 6. 07-515 Bill Melvin, Civic Center Manager, requesting approval to donate 2 sets of wooden bleachers to Montana Youth Challenge Foundation. **Recommendation: refer to Committee of the Whole.**
- 7. 07-516 Kevin Dennehy, Executive Director St. James Healthcare, requesting permission to organize Ticker Tuner Fun Run/Walk on August 18, 2007. **Recommendation: hold in Committee of the Whole while going through the process.**
- 8. 07-517 Marty Alexander, Butte-Silver Bow Carpenter, requesting authorization for Chief Executive to sign contract with Harold Godtland for roof retrofit project at the Community Facilities Building. **Recommendation: concur and place on file.**

9. 07-518 John C. VanDaveer, Public Works Director, requesting concurrence for change order for H & H Contracting for additional removal, preparation and paving on Daly Street. **Recommendation: concur and place on file.**
10. 07-519 John C. VanDaveer, Public Works Director, requesting concurrence for change order for Pioneer Technical for additional work required for the High Service Tank replacement. **Recommendation: concur and place on file.**
11. 07-520 Tim Clark, Personnel Director, requesting authorization for Chief Executive to sign contract document with Montana Nurses' Association. **Recommendation: concur and place on file.**
12. 07-521 Paul Babb, Chief Executive, requesting concurrence in appointment and re-appointments to Butte-Silver Bow Fire Commission. **Recommendation: concur and place on file.**
13. 07-522 Roger Ebner, BSB/DES Coordinator, requesting authorization for Chief Executive to sign annual renewal of Maintenance Agreement with Lee's Office City. **Recommendation: concur and place on file.**
14. 07-523 Leroy Cottom, Chairman Butte-Silver Bow Library Board of Trustees, requesting council support of Council Resolution No. 07-59 calling for a general obligation bond to renovate and expand the Butte-Silver Bow Public Archives building. **Recommendation: note and place on file**
15. 07-524 Jon Sesso, Planning Director, requesting permission to recycle several obsolete or broken pieces of computer equipment. **Recommendation: concur and place on file.**
16. 07-525 Mary M. McMahon, Clerk and Recorder, requesting authorization for Chief Executive to sign contract renewal with Election Systems and Software, Inc. **Recommendation: concur and place on file.**
17. 07-527 Ellen Crain, Director, requesting permission to dispose of obsolete equipment. **Recommendation: concur and place on file.**
18. 07-528 Linda Sajor, Director MIS, requesting permission to recycle computer equipment that is broken or outdated. **Recommendation: concur and place on file.**
19. 07-529 Kelly Schmitt, CDBG-ED Program Specialist, requesting authorization for Chief Executive to sign contract with Montana

Department of Commerce. **Recommendation: concur and place on file.**

20. 07-530 John P. Walsh, Sheriff, requesting concurrence in appointment of Lisa Howe to Butte-Silver Bow Law Enforcement Department. **Recommendation: concur and place on file.**
21. 07-531 John C. VanDaveer, Public Works Director, requesting authorization for Chief Executive to execute Memorandum of Understanding with Montana Department of Transportation. **Recommendation: concur and place on file.**
22. 07-532 Tim Clark, Personnel Director, requesting approval of increase in minimum and maximum steps of grade for non-union/management positions. **Recommendation: concur and place on file.**
23. 07-534 Karen Byrnes, Director, requesting approval of sale of E. Copper vacant property and authorization for County Attorney to prepare a resolution. **Recommendation: concur with request and request County Attorney to prepare a resolution and hold in Committee of the Whole.**
24. 07-535 Rob Macioroski, Director Land Records Department, requesting approval of sale of 160 W. Granite and authorization for County Attorney to prepare a resolution. **Recommendation: concur with request and request County Attorney to prepare a resolution and hold in Committee of the Whole.**
25. 07-536 Rob Macioroski, Director Land Records Department, requesting approval of sale of 622 W. Granite Street and authorization for County Attorney to prepare a resolution. **Recommendation: concur with request and request the County Attorney to prepare a resolution and hold in Committee of the Whole.**
26. 07-537 Rob Macioroski, Director Land Records Office, requesting concurrence with recommendation to deny the sale of vacant lands on E. Mercury and Curtis Streets to Imre Ratatics. **Recommendation: concur and place on file.**
27. 07-538 Russ Connole, Economic Development Director, requesting authorization for Chief Executive to enter into contract with Everly and Associates for SeaCast Project. **Recommendation: concur and place on file.**
28. 07-539 Russ Connole, Economic Development Director, requesting authorization for Chief Executive to enter into contract for survey

and engineering services with Everly and Associates within Butte-Silver Bow TIFID No. 2. **Recommendation: concur and place on file.**

29. 07-450 Russ Connole, Economic Development Director, requesting authorization for Chief Executive to enter into contract with Lost Dolphin for SeaCast Project. **Recommendation: concur and place on file.**
30. 07-541 Gary Keeler, Landfill Manager, requesting authorization for Chief Executive to extend the solid waste disposal agreement with Jefferson County Solid Waste District. **Recommendation: concur and place on file.**
31. 07-542 Gary Keeler, Landfill Manager, requesting authorization for Chief Executive to extend the solid waste disposal agreement with Anaconda-Deer Lodge County. **Recommendation: concur and place on file.**
32. 07-543 Lori Casey, Senior Planner, Planning Department, requesting conditional approval of the Preliminary Plat of the Elk Ridge Estates Minor Subdivision. **Recommendation: concur and place on file.**
33. 07-544 Stephen D. Hess, Assistant Planning Director, requesting conditional approval of final plat of the Home Depot Minor Subdivision. **Recommendation: concur and place on file.**
34. 07-545 Jeff Amerman, Director Finance and Budget Department, requesting Council approval of Resolution No. 07-61 for .5% local option tax. **Recommendation: note (Resolution introduced) and place on file.**
35. 07-546 Russ Connole, Economic Development Director, requesting council approval of resolution to authorize refunding and refinancing of the 1996 and 1997 Industrial Revenue Bonds relating to public infrastructure at the TIFID. **Recommendation: concur (see Suspension of the Rules) and place on file.**

SECTION V

ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. COUNCIL RESOLUTION NO. 07-60

**A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE
PRELIMINARY**

PLAT OF THE ELK RIDGE ESTATES MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 07-61

A RESOLUTION CONTINUING THE LOCAL VEHICLE TAX FOR FISCAL YEAR 2007 – 2008 ON VEHICLES SUBJECT TO A REGISTRATION FEE UNDER SECTIONS 61-3-560 THROUGH 61-3-562, MCA AT A RATE OF 0.5% OF THE VALUE DETERMINED UNDER SECTION 61-3-503, MCA IN ADDITION TO THE REGISTRATION FEE IMPOSED UNDER SECTIONS 61-3-560 THROUGH 61-3-562, MCA, AS AUTHORIZED BY SECTION 61-3-537, MCA; DECLARING THAT A PUBLIC HEARING HAS BEEN HELD ON THE LOCAL VEHICLE TAX AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. 07-62

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE HOME DEPOT MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI ORDINANCES – SECOND READING

**1. COUNCIL BILL NO. 07-12
ORDINANCE NO. 07-12**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 344 AND CHAPTER 2.24 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “LAW ENFORCEMENT COMMISSION”; ADDING A NEW SUBSECTION 2.24.040 (H), B-SB MC; PROVIDING FOR ADDITIONAL COMPENSATION FOR THE CHAIRMAN OF THE LAW ENFORCEMENT COMMISSION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION VII RESOLUTION AND ORDINANCES –
FINAL READING**

**1. COUNCIL BILL NO. 07-11
ORDINANCE NO. 07-11**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO, 195 AND CHAPTER 15.10 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "FIRE CODE" AND AMENDING SECTIONS 15.10.020, 15.10.030 AND 15.10.060, B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 07-57

A RESOLUTION GRANTING CONDITIONAL OF THE PRELIMINARY PLAT OF THE HOME DEPOT MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PART OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. 07-58

A RESOLUTION DIRECTING THE BUTTE-SILVER BOW TREASURER TO MAIL NOTICE OF PENDING TAX DEED ISSUANCE TO ALL PERSONS CONSIDERED INTERESTED PARTIES FOR EACH PROPERTY FOR WHICH THERE HAS BEEN ISSUED A TAX CERTIFICATE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 15-18-212, MCA; FURTHER DIRECTING THE TREASURER TO ISSUE TAX DEED FOR THOSE PARCELS OF PROPERTY WHERE THERE HAS BEEN ISSUED A TAX CERTIFICATE AND THE EXPIRATION DATE OF THE REDEMPTION PERIOD HAS EXPIRED AND THE REQUIRED PAYMENTS HAVE NOT BEEN MADE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4. COUNCIL RESOLUTION NO. 07-59

A RESOLUTION DIRECTING THE ELECTION ADMINISTRATOR TO PUT THE QUESTION OF APPROVING A GENERAL OBLIGATION BOND ISSUE NOT TO EXCEED THE AMOUNT OF \$7,500,000.00 FOR THE RENOVATION AND EXPANSION OF THE BUTTE-SILVER BOW PUBLIC ARCHIVES BUILDING ON THE BALLOT FOR VOTER APPROVAL AT A SPECIAL MAIL BALLOT ELECTION TO BE HELD ON WEDNESDAY, NOVEMBER 14, 2007 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION VIII ORDINANCES AND RESOLUTIONS –
SUSPENSION OF THE RULES**

1. COUNCIL RESOLUTION NO. 07-63

A RESOLUTION RELATING TO TAXABLE TAX INCREMENT INDUSTRIAL INFRASTRUCTURE DEVELOPMENT REVENUE

REFUNDING BONDS, SERIES 2007; AUTHORIZING THE ISSUANCE AND
PRIVATE NEGOTIATED SALE THEREOF.

SECTION IX CALENDAR OF OTHER MEETINGS AND EVENTS

Aug. 6	Airport Authority	Noon	Bert Mooney Airport
Aug. 6	Archives	Noon	Archives Center
Aug. 7	Historic Preservation Commission	Noon	Health Department
Aug. 7	Weed Board	7PM	Weed Department
Aug. 8	Fair Board	5:30PM	Business Development Center
Aug. 8	Law Enforcement Commission	4PM	Chief Executive's Conference Room
Aug. 8	Library	5PM	Library Building
Aug. 13	Airport Authority	Noon	Bert Mooney Airport
Aug. 14	Housing Authority	5:30PM	Silver Bow Homes Housing
Aug. 14	Parks and Recreation	4:15PM	Civic Center Conference Room
Aug. 14	Technical Review Commission	1:30PM	Water Company Building
Aug. 15	Community Enrichment	3:30 PM	1st Floor Conference Room
Aug. 15	Parking Commission	4PM	Chief Executive's Conference Room
Aug. 16	Zoning Board of Adjustment	5:30 PM	Council Chambers
Aug. 22	Port of Montana	Noon	Hub Center
Aug. 22	Urban Revitalization	9AM	Chief Executive's Conference Room
Aug. 23	Business Development Center	10AM	Business Development Center
Aug. 29	TIFID Board	11:30AM	305 W. Mercury
Aug. 30	Planning Board	7PM	Council Chambers
Sept. 3	Holiday		
Sept. 4	Historic Preservation Commission	Noon	Health Department
Sept. 4	Weed Board	7PM	Weed Department
Sept. 5	Fire Advisory Council	5ON	Chief Executive's Conference Room
Sept. 5	Health Department	7AM	Health Department
Sept. 5	Butte Aids Support Center	7PM	Community Center
Sept. 6	Civic Center	5PM	Civic Center Hospitality Room
Sept. 6	TFID Board	Noon	304 W. Mercury

ADJOURN _____

AMENDED COMMITTEE OF THE WHOLE MEETING REPORT JULY 25, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION I PUBLIC HEARING

FOR THE PURPOSE TO SOLICIT PUBLIC COMMENTS ON DEVELOPER'S PACKET PROPOSALS SUBMITTED FOR REDEVELOPMENT OF THE VACANT CITY-OWNED PROPERTY LOCATED IN THE FIRST BLOCK OF E. COPPER STREET. (Communication No. 07-483 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**

Dori Skrukrud, Assistant Director of the Community Development Department gave the staff report and handed out a summary report. Two applications have been received. One is Western Montana Mental Health Center and the other is Silver King LLC. This public hearing is to take public comment. Chief Executive Babb opened the public hearing at 7:34 PM and called for proponents for the Western Mental Health Center. The following came forward:

1. Cathy Dunks of the Western Montana Mental Health Center
2. Jim Cortese of the Food Bank
3. Irene Scheidecker, supports crisis center but thinks it needs to be elsewhere.
4. Doug Conway, Captain LED
5. Susan Kerschen

The following came forth in support of the Silver King proposal

1. Richard Gibson
2. July Crowley
3. Terri Keeley
4. Irene Scheidecker
5. Larry Smith

The public hearing was closed at 7:50 PM.

SECTION II

PUBLIC HEARING

FOR THE PURPOSE OF HEARING PROPOSALS SUBMITTED FOR 160 W. GRANITE AND 622 W. GRANITE STREET. (Communication No. 07-418 being held in Committee of the Whole. **Proof of publication was noted and placed on file.**

Dori Skrukud, Assistant Director Community Development Department gave the staff report and said they had received three applications the property at 160 W. Granite. They are:

1. Martha Sorini, 405 Greenwood, adapt for office space and 2 residential units.
2. Robert Hyatt, 410 W. Granite St., Office space for self and others.
3. Dryden Properties, Gary Dryden, residential units.

Also the property at 622 W. Granite has received 11 proposals. They are:

1. Chris Harris and Leslie Doyle, for personal use or future income
2. Carmela Cartstarphan, 314 S. Jackson, for investment property
3. Dell Williams, 930 Arizona Street, for single-family residence
4. Sharolyn Graves & Lynn Severance, restore as single-family residence.
5. Kevin Ball and Amy Kuenzi, restore as guest house as adjacent property owner.
6. James Fay, 927 Monroe, restore as single-family residence.
7. Marylou Zimmerman and Scot Franklin, several choices
8. Mike Kerschen, 9 Holly Lane, investment property
9. Kirk Hoffman and Dan Rice, Investment property
10. Ella and Ty Todd, Sheridan, MT, investment property
11. Adrian Muchalski, 703 Utah, Apt. 3, investment property

Chief Executive Babb opened the public hearing at 7:57 and called for proponents for 160 W. Granite for Martha Sorini proposals. There was no response so he moved on to Robert Hyatt's proposal.

Gary Dryden came forward and said in addition to rentals they also have a plan to convert it to office space and they also need the parking behind the building because of their renovation of the Concord Apartments.

There were no other responses so he went on to 622 W. Granite Street for proponents on the Chris Harris and Leslie Doyle proposal.

Chris Harris came forward and told the council he has a restoration company and they hope to restore the cottage. Leslie Doyle also spoke in favor of the proposal

There were no comments on Items 2, 3 and 4.

On Item #5 Kevin Ball came forward. He is the adjacent landowner to this property and will redo it for his own use. Richard Douglas came forward to say he questions if this is large enough for a single-family dwelling. He spoke in favor of their project as it is for their own use. Leslie Dickerson, 609 W. Granite spoke in favor of this proposal.

There was no response on Items 6 and 7.

Item No. 8 - Mike Kierschen came forward and said he intends to restore it to new original condition and use as a rental.

Item No. 9 – Dan Rice says if they do not award this property to Kevin Ball, he would like to get it. It is his neighborhood too.

Item No. 10, Ella and Ty Dodd. Kathy Lee spoke for Ella Todd and told that she wants to renovate it and live in it with her children.

No comment on No. 11

Chairman O’Leary then closed the public hearing at 8:08PM

SECTION III

PUBLIC HEARING

FOR THE PURPOSE OF HEARING PROPOSALS FOR THE 300 BLOCK OF E. MERCURY STREET, LOTS 1-3, BLOCK 8, KING SECOND ADDITION AND 300 BLOCK OF E. CURTIS STREET, LOT 4-6, BLOCK 8, KING SECOND ADDITION. (Communication No. 07-458 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**

Dori Skrukrud, Assistant Director Community Development Department, gave the staff report. The single application received was from Imre Ratatics of 314 E. Mercury. He is the adjoining landowner. His application is to make landscaping improvements and fencing improvements to this vacant property.

Chairman O’Leary opened the public hearing at 8:10PM and called for proponents and opponents. As there was no response on either he closed the public hearing at 8:11PM.

SECTION IV

PRESENTATION COMMUNICATION NO. 07-480

Ellen Crain, Archives Director, requesting time on the 7/25/07 Agenda to make a presentation about future plans for the Archives.

Ellen Crain, Archives Director, presented a hard copy of her presentation to the commissioners and then made a power point presentation. She answered questions from the commissioners.

Chairman O'Leary then called for a brief recess at 8:50 PM. The council reconvened at 8:53 with a roll call of 11 present, 1 presiding and 0 absent.

It was moved by Commissioner Lee, seconded by Commissioner Coleman and carried by a unanimous verbal vote to place Communication No. 07-480 on file.

SECTION V

PRESENTATION COMMUNICATION NO. 07-507

Steve Egeline, District Ranger, requesting time on 7/25/07 agenda to make a presentation on Forest Service management of Basin Creek Municipal Watershed.

Steve Egeline of the US Forest Service came to the microphone to explain the Forest Service's need to control all adverse human activities in the area of the watershed. He explained their plans and answered commissioners questions.

It was moved by Commissioner Lee, seconded by Commissioner Coleman and carried with a unanimous verbal vote to place Communication No. 07-507 on file.

SECTION VI

INFORMATIONAL REPORT COMMUNICATION NO. 07-484

Jim Smitham, Executive Director, requesting time on the 7/25/07 agenda to make an Annual Report of the Butte Local Development Corporation's activities from 7/1/06 through 6/30/07.

Jim Smitham, Executive Director of the BLDC gave a handout to the commissioners and answered questions from them.

It was moved by Commissioner Lee, seconded by Commissioner Coleman and carried by a unanimous verbal vote to place Communication No. 07-484 on file.

SECTION VII

COMMUNICATION NO. 07-259

Jean Pentecost, Water Utility Division, requesting authorization for Chief Executive to enter into agreement with Richardson Family Trust for a land exchange. *Committee recommends that Communication No. 07-259 placed in the Suspense File.*

SECTION VIII**COMMUNICATION NO. 07-374**

Dan Dennehy, Health Officer, requesting building inspection be conducted on the Health Department building at 25 W. Front Street and asking to allocate \$75,000 annual rent to long-term maintenance program. *Committee recommends that Communication No. 07-374 be held in abeyance.*

SECTION IX**COMMUNICATION NO. 07-393**

Robert L. White, President Big Butte Kiwanis, requesting permission to close uptown streets on 8/26/ for Custom Car Show. *Committee recommends that Communication No. 07-393 be held in abeyance.*

SECTION X**COMMUNICATION NO. 07-409**

Dave Silk, Race Director, requesting street closures and use of Emma Park 8/12/07 from 6AM to Noon for An Ri’Ra’ Run/Walk through uptown Butte. *Committee recommends that Communication No. 07-409 be held in abeyance.*

SECTION XI**COMMUNICATION NO. 07-457**

Bob LeCoure, Club Boxing, Inc. requesting permission to use Emma Park July 29 from 8AM to 10PM for a boxing event. *Committee recommends that Communication No. 07-457 be placed on file.*

SECTION XII**COMMUNICATION NO. 07-458**

Karen Byrnes, Director Community Development Department, requesting public hearing be set for 7/25/07 to hear presentations from individuals who submit proposals for property at 300 block of E. Mercury and 300 block of E. Curtis Streets. *Committee recommends that Communication No. 07-458 be placed on file.*

SECTION XIII**COMMUNICATION NO. 07-471**

Rob Macoroski, Director Land Records, requesting council’s acceptance of Copper Street and alley and request County Attorney to prepare resolution and deed for transfer. *Committee recommends that Communication No. 07-471 be cross-referenced with Council Resolution No. 07-56 and placed on file.*

SECTION XIV**COMMUNICATION NO. 07-475**

Jeff Amerman, Director of Finance and Budget Department, requesting Council schedule a public hearing for 7/18/07 concerning the continuation of the .5% Local Option Vehicle Tax. *Committee recommends that Communication No. 07-475 be placed on file.*

SECTION XV**COMMUNICATION NO. 07-483**

Karen Byrnes, Director Community Development Department, requesting public hearing 7/25/07 to solicit comments regarding Developer's Packet for E. Copper Street. *Committee recommends that Communication No. 07-483 be placed on file.*

SECTION XVI**COMMUNICATION NO. 07-485**

Mark LaFond, Copper City Signs, requesting permission to block off Tecumseh Way between Montana Avenue and Washington Street for Cruise Night with radio station radio station KMBR on 8/1/07. *Committee concurs with request in Communication No. 07-485 and places it on file.*

SECTION XVII**COMMUNICATION NO. 07-486**

Mykl Meagher, Manager Oakpark, requesting permission to purchase three adjoining lots to 432 S. Jackson Street. *Committee recommends that Communication No. 07-486 be held in abeyance.*

SECTION XVIII**COMMUNICATION NO. 07-489**

Wally Frasz, Commissioner District #6, requesting funding request by Envision Butte for Berkeley Pit Viewing Stand Project. *Committee recommends that Communication No. 07-489 be placed on file.*

SECTION XIX**COMMUNICATION NO. 07-493**

Rob Macioroski, Director Land Office, regarding revising the Adjacent Landowner Policy. *Committee recommends approval of Communication No. 07-493 and places it on file.*

SECTION XX**COMMUNICATION NO. 07-489**

Wally Frasz, Commissioner District #6, requesting funding request by Envision Butte for Berkeley Pit Viewing Stand Project. *Committee recommends that Communication No. 07-489 be placed on file.*

SECTION XXI**COMMUNICATION NO. 07-493**

Rob Macioroski, Director Land Office, regarding revising the Adjacent Landowner Policy. *Committee recommends approval of Communication No. 07-493 and places it on file.*

SECTION XX**COMMUNICATION NO. 07-497**

Brendon R. McDonough, An Ri’Ra’ Executive Committee, requesting permission to close Granite Street from Montana Street to Hamilton Street 8/10/07. *Committee recommends that Communication No. 07-497 be held in abeyance.*

SECTION XXI**COMMUNICATION NO. 07-508**

Rob Macioroski and Rick Larson, requesting council concur with Developer’s Packet Review Committee’s recommendation to deny all proposals for the Kelley Warehouse Property. *Committee concurs with the recommendation in Communication No. 07-508 and places it on file.*

SECTION XXII**COMMUNICATION NO. 07-509**

Charlie O’Leary, Chairman Council of Commissioners, requesting council pursue some sizable Federal dollars by enlisting the help of the Russ Reid Company for one-year on a trial basis. *Committee recommends that Communication No. 07-509 be held in abeyance.*

SECTION XXIII**COMMUNICATION NO. 07-412**

Karen Byrnes, Director Community Development Department, requesting public hearing for 7/11/07 regarding Developer’s Packer for property located at first block of East Copper Street. *Committee recommends that Communication No. 07-412 be placed on file.*

SECTION XXIV**COMMUNICATION NO. 07-418**

Karen Byrnes, Director Community Development Department, requesting public hearing 7/25/07 to hear public testimony regarding Developer’s Packet for 160 and 622 W. Granite. *Committee recommends that Communication No. 07-418 be placed on file.*

SECTION XXV**COMMUNICATION NO. 07-447**

The Lunch in the Park Board, requesting use of Emma Park 6/20/07 through 8/15/07 for Lunch in the Park and also closure of Silver Street between Colorado and Alaska. *Committee recommends that Communication No. 07-447 be held in abeyance.*

**FINANCE AND BUDGET COMMITTEE MEETING
REPORT
JULY 25, 2007**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Finance and Budget Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 07-442**

John C. VanDaveer, Public Works Director, requesting time on 6/27/07 agenda for an Animal Services Department presentation. ***Committee approves the recommendation for an Animal Control Department as submitted and places Communication No. 07-442 on file.***

SECTION II **COMMUNICATION NO. 07-495**

Jeff Amerman, Finance and Budget Director, regarding FY 2007-2008 Preliminary Budget. ***Committee recommends to send the Preliminary Budget to full council on 8/1/07 without Finance and Budget recommendation for approval and places Communication No. 07-495 on file.***

SECTION III EXPENDITURE APPROVAL

7/18/07	\$213,173.38
7/18/07	90,371.96
7/25/07	72,397.72
7/27/07	451,319.71

Committee approves of the above as submitted and placed on file.

JUDICIARY COMMITTEE MEETING REPORT

July 25, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Judiciary Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 06-673**

Mark and Shirley Rule, regarding proposal to enter into 5-year lease and one 5-year renewable term of Rose and Shamrock Mining Claim #2829, Lot 599 on Moulton Reservoir Road. ***Committee recommends that Communication No. 06-673 be placed in the Suspense File for 90 days and revisited.***

SECTION II **COMMUNICATION NO. 07-368**

J. R. Richardson, Business Manager Butte Public Schools, requesting council
forgive back taxes on Parcel No. 1901770 in the Butte Townsite. ***Committee
recommends that Communication No. 07-368 be held in abeyance.***

SECTION III **COMMUNICATION NO. 07-464**

Jim Smitham, Executive Director, requesting contract with Butte Local Development Corporation for FY 2007-08. ***Committee recommends that Communication No. 07-464 be held in abeyance. Commissioners Fay and Coleman will meet with Jim Smitham on 7/30/07 at 3PM in his office.***

SECTION IV

COMMUNICATION NO. 07-503

Cheri Brownell, requesting council consider setting aside certain areas for the setting off of fireworks. *Committee recommends that Communication No. 07-503 be held in abeyance and invite Sheriff Walsh and Fire Chief Miller to the next Finance and Budget Committee meeting to discuss this issue.*

SECTION V

COUNCIL BILL NO. 07-11
ORDINANCE NO. 07-11

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO, 195 AND CHAPTER 15.10 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “FIRE CODE” AND AMENDING SECTIONS 15.10.020, 15.10.030 AND

15.10.060, B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. **Committee recommends that Council Bill No. 07-11, Ordinance No. 07-11 be moved to final Reading and passed.**

SECTION VI

**COUNCIL BILL NO. 07-12
ORDINANCE NO. 07-12**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 344 AND CHAPTER 2.24 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "LAW ENFORCEMENT COMMISSION"; ADDING A NEW SUBSECTION 2.24.040(H), B-SB MC; PROVIDING FOR ADDITIONAL COMPENSATION FOR THE CHAIRMAN OF THE LAW ENFORCEMENT COMMISSION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Bill No. 07-12, Ordinance No. 07-12 be placed on second reading and passed***

SECTION VII

COUNCIL RESOLUTION NO. 07-57

A RESOLUTION GRANTING CONDITIONAL OF THE PRELIMINARY PLAT OF THE HOME DEPOT MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Resolution No. 07-57 be placed on final reading and passed.***

SECTION VIII

COUNCIL RESOLUTION NO. 07-58

A RESOLUTION DIRECTING THE BUTTE-SILVER BOW TREASURER TO MAIL NOTICE OF PENDING TAX DEED ISSUANCE TO ALL PERSONS CONSIDERED INTERESTED PARTIES FOR EACH PROPERTY FOR WHICH THERE HAS BEEN ISSUED A TAX CERTIFICATE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 15-18-212, MCA; FURTHER DIRECTING THE TREASURER TO ISSUE TAX DEED FOR THOSE PARCELS OF PROPERTY WHERE THERE HAS BEEN ISSUED A TAX CERTIFICATE AND THE EXPIRATION DATE OF THE REDEMPTION PERIOD HAS EXPIRED AND THE REQUIRED PAYMENTS HAVE NOT BEEN MADE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Resolution No. 07-58 be placed on final reading and passed***

SECTION IX

COUNCIL RESOLUTION NO. 07-59

A RESOLUTION DIRECTING THE ELECTION ADMINISTRATOR TO PUT THE QUESTION OF APPROVING A GENERAL OBLIGATION BOND ISSUE NOT TO EXCEED THE AMOUNT OF \$7,500,000.00 FOR THE

RENOVATION AND EXPANSION OF THE BUTTE-SILVER BOW PUBLIC ARCHIVES BUILDING ON THE BALLOT FOR VOTER APPROVAL AT A SPECIAL MAIL BALLOT ELECTION TO BE HELD ON WEDNESDAY, NOVEMBER 14, 2007 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 07-59 be place on final reading and passed.*

PUBLIC WORKS COMMITTEE MEETING REPORT

JULY 25, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Public Works Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 06-661**

Jon Sesso, Planning Director, requesting council prioritize road improvement project – intersection of Beef Trail Road and Little Basin Creek Road. ***Committee recommends that Communication No. 06-661 be held in abeyance.***

SECTION II **PETITION NO. 07-6**

John Harrington, Building Official, requesting on behalf of Three Dog Holdings, Inc. to close and vacate a portion of Meadowlark Lane in SE ¼ of Section 32, T3N, R7W. *Committee recommends approval of Petition No. 07-6 and refer to County Attorney to prepare a resolution and hold Petition No. 07-6 in abeyance.*

SECTION III PETITION NO. 07-7

John Harrington, Building Official, requesting on behalf of Joe J. Shoemaker to close and vacate a portion of alley adjacent to Blocks 5 and 12 in the Kemper Addition. *Committee recommends approval of Petition No. 07-7 and refer to County Attorney to prepare a resolution and hold Petition No. 07-7 in abeyance.*

SECTION IV

Cindi Shaw, Commissioner District 11, requesting review of traffic concerns on E. Woolman Street. ***Committee recommends that Communication No. 07-165 be held in abeyance***